

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

6 LAMAR GILMORE,  
7 Plaintiff,  
8 v.  
9 SHANA BACHMEN et al.,  
10 Defendants.  
11

2:14-cv-162-MMD-PAL  
**ORDER**

## I. DISCUSSION

13 Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections, has  
14 submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 but has not filed an application  
15 to proceed *in forma pauperis* or paid the full filing fee of \$400. (See ECF No. 1).

16 Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an  
17 application to proceed *in forma pauperis* and attach both an inmate account statement for the  
18 past six months and a properly executed financial certificate. Plaintiff has not submitted an  
19 *in forma pauperis* application, a financial certificate, or an inmate account statement. (See  
20 ECF No. 1). The Court will retain Plaintiff's civil rights complaint (ECF No. 1), but will not file  
21 it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an  
22 opportunity to file a complete application to proceed *in forma pauperis*, or in the alternative,  
23 pay the full filing fee for this action. If Plaintiff chooses to file an application to proceed *in*  
24 *forma pauperis* he must file a fully complete application to proceed *in forma pauperis*.

## II. CONCLUSION

26 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court SHALL SEND  
27 Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as  
28 the document entitled information and instructions for filing an *in forma pauperis* application.

1 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,  
2 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the  
3 correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or  
4 (2) pay the full filing fee of \$400.

5 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,  
6 dismissal of this action may result.

7 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint (ECF  
8 No. 1), but shall not file it at this time.

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10 DATED: This 3rd day of April, 2014.

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13 United States Magistrate Judge

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